IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his capacity as ATTORNEY GENERAL OF THE STATE OF OKLAHOMA and OKLAHOMA SECRETARY OF THE ENVIRONMENT C. MILES TOLBERT, in his capacity as the TRUSTEE FOR NATURAL RESOURCES FOR THE STATE OF OKLAHOMA,	)
Plaintiff,	)
vs.	) 4:05-CV-00329-TCK-SAJ
TYSON FOODS, INC., et al,	)
Defendants.	)

- -

VOLUME I OF THE VIDEOTAPED

DEPOSITION OF INDRAJEET CHAUBEY, PhD, produced as a witness on behalf of the Plaintiff in the above styled and numbered cause, taken on the 27th day of January, 2009, in the City of Tulsa, County of Tulsa, State of Oklahoma, before me, Lisa A. Steinmeyer, a Certified Shorthand Reporter, duly certified under and by virtue of the laws of the State of Oklahoma.

EXHIBIT
tabbies
"E"

conclusion?

MS. LONGWELL: Object to form.

A There are a number of watersheds and water quality models of a level today that can be utilized to look at this type of question and see how water quality would change over time. 10:37AM

Q What would be an example of some of those models that could be used?

A You can use a model like SWAT, a SWAT water assessment tool, and AGNPS, A-G-N-P-S, HSPF. There are a number of other models. 10:37AM

Q Are you familiar with the GLEAMS model?

A I am somewhat familiar with GLEAMS model, yes.

Q All right. If you used a GLEAMS model with a routing equation, could that be a type of model that could run the scenario we're talking about and determine the length of time we're asking about? 10:37AM

MS. LONGWELL: Object to form.

MR. GEORGE: Object to form, lack of foundation, calls for speculation. 10:38AM

A You can interface the GLEAMS model, which is a field scale model, with the routing model, to represent watershed processes and use that to answer these type of question. It is possible.

Q Okay. Have you had an opportunity to review 10:38AM

a526bff5-b65c-4bea-9c98-3a612995cac9

any data for water quality at the Highway 59 bridge after the mass balance of 2002 was performed?

A I did some SWAT modeling in the same portion of the watershed where we utilized the data collected at Highway 59 bridge to calibrate and validate the model. 10:39AM

Q Was there a change that occurred with regard to the inputs after 2002 that you're aware of, the phosphorus inputs?

A Some of the point source numbers significantly changed. 10:40AM

Q And how did they change?

A The concentrations of phosphorus that was coming from the effluent discharged by the Springdale wastewater treatment plant decreased substantially, and I believe during similar time period, or it may have been slightly before that, dissolved solids also improved at the wastewater treatment plants and effluent discharge reduced from them also. 10:40AM

Q With the reduction of the wastewater treatment plants, how would that impact the respective percentages of the inputs of point and non-point sources?

MR. GEORGE: Object to form. 10:41AM

IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his capacity as ATTORNEY GENERAL OF THE STATE OF OKLAHOMA and OKLAHOMA SECRETARY OF THE ENVIRONMENT C. MILES TOLBERT, in his capacity as the TRUSTEE FOR NATURAL RESOURCES FOR THE STATE OF OKLAHOMA,	)
Plaintiff,	)
vs.	) 4:05-CV-00329-TCK-SAJ
TYSON FOODS, INC., et al,	)
Defendants.	)

- -

VOLUME II OF THE VIDEOTAPED

DEPOSITION OF INDRAJEET CHAUBEY, PhD, produced as a witness on behalf of the Plaintiff in the above styled and numbered cause, taken on the 2nd day of March, 2009, in the City of Tulsa, County of Tulsa, State of Oklahoma, before me, Lisa A. Steinmeyer, a Certified Shorthand Reporter, duly certified under and by virtue of the laws of the State of Oklahoma.

I have moved and I have not kept lots of data. Lots of that, you know, may have been updated. So it's a continual process, so I don't know.

Q Okay. Do you know anybody else who might have kept them? 11:27AM

A If it's not Kati White or Marc Nelson, then I don't know who else might have kept it.

Q Okay. They're my other options; right?

A They are your --

Q My only options? 11:27AM

A Probably your only option at this time.

Q Okay. Are you familiar with GLEAMS model?

A I am somewhat familiar with GLEAMS model.

Q Okay. Do you agree that the GLEAMS is a field scale model? 11:28AM

A Yes.

Q As opposed to a watershed scale model?

A Yes.

Q Okay. Do you agree that if you're going to use GLEAMS as part of a modeling exercise for a whole watershed, such as like the Illinois River watershed, that it would be important that the routing model that is used in conjunction with GLEAMS reasonably reflect the in-stream and transport processes for the system being modeled? 11:29AM 11:29AM

MR. GARREN: Object to form.

A For a watershed assessment using GLEAMS or any other field scale model, you need to interface that or you need to have a routing model that goes with it, and that's one way you can do a watershed scale assessment, and it's done all the time. 11:29AM

Q Huh?

A It's done all the time by a number of modelers using GLEAMS and other field scale models.

Q Okay, but the routing model is very important? 11:30AM

MR. GARREN: Object to form.

A Yes.

Q Okay. I can't remember how this was stated in your first deposition, but do you hold the opinion that if you apply poultry litter over the agronomic rate, that it's waste disposal? 11:30AM

A I do.

Q You do?

A Yes.

Q Okay. What are you -- with respect to the agronomic rate, what nutrient are you looking at; are you looking at every nutrient in poultry litter or are you just looking at phosphorus? 11:30AM

A I am looking at both nitrogen and phosphorus because those are the two micronutrients of water 11:30AM